

MINUTES OF A HEARING AS HELD BY THE
ZONING BOARD OF APPEALS OF THE
TOWN OF AURORA

May 18, 2023

CASE #1436-Christina Searles/Rosewood Signs, Inc.
a/a/f Queensland Holdings LLC
730 Olean Road, East Aurora, NY

The hearing was called to order by the Acting Chairman Rod Simeone with the following Board members present:

Mandy Carl
Nancy Burkhardt
Ray Wrazen, Alternate
Stephanie Morgan, Alternate

Excused: Paul Ernst
Davis Heussler

Others present: Richard Miga, Assistant Code Enforcement Officer

The notice of the Public Hearing was read by the Deputy Town Clerk. The notice was duly published in the East Aurora Advertiser as evidenced by the Affidavit of Publication, marked as exhibit 1. The Affidavit of Posting was marked as exhibit 2. The Zoning Board of Appeals Application was marked as exhibit 3. The Letter of Intent was marked as exhibit 4. A Letter of Authorization was marked as exhibit 5. The ECDP Form and Response was marked as exhibit 6. The Building Departments Letter of Determination was marked as exhibit 7. The Short Environmental Assessment Form was marked as exhibit 8. The Site Plan was marked as exhibit 9. A Photograph of the Site was marked as exhibit 10. Elevation Renderings were marked as exhibit 11. A Copy of the Deed was marked as exhibit 12. The List of Abutting Property Owners was marked as exhibit 13.

The Acting Chairman opened the hearing with the Pledge of Allegiance to the Flag and stated the purpose and procedure of the hearing. Following the hearing a meeting will be held to render a decision for a sign size variance at 730 Olean Road, East Aurora, NY.

Searles Christine Searles, Rosewood Signs, Inc. I am under the understanding that it was just rezoned to allow only four-square feet. This is an organization that provides a service to people. They have a large piece of property. The speed limit is 45 mph, and we just feel to enlarge the sign to get their name out there to get people in to help them. Four-square feet is just so small. I know with the pillars we are going ten feet, which we can do without, but it is the same across the street and is larger than the one we are proposing.

- Simeone That is true but that is a different zone. There seems to be in your petition you indicated now illuminated two-sided sign.
- Searles Correct.
- Simeone When we were there you had mentioned solar or indirect lighting.
- Searles They were interested in having spotlights shining up on the sign or solar.
- Simeone That area of Olean is hodge podge of zoning and that was agricultural and residential at the time ROC was proposing their building. That being the case there was an issue with the size of the building so the Town Board made a change to R3 which then dropped the allowable signage from 24sf to 14sf so what you said is correct. The issue of the supporting elements again I reviewed that with the building department and their interpretation is the adjacent structure that is holding it up is part of the sign, Right or wrong that was their interpretation. Is this a substantial change? Yes. It's four feet either way and you are asking for a 50sf or a 46sf variance but as you said the sign itself would be 24.5sf and 21.5sf for the supporting structure, which to me looks very attractive. Regarding the other factors would it change the character of the neighborhood and in my opinion, no. Could it be achieved by a feasible alternative other than the size I think no. We talked about the substantiality, yes it is but over half of it is the supporting structure. Adverse impact on the environmental conditions, no. Was it self-created? Yes, but if you look right across the street there is a sign that would be bigger than that only they put it on posts. My opinion, I don't see any showstoppers here.
- Burkhardt So far I don't have any. It is a very visually attractive sign, and I don't have any major concerns with how this is being presented, so far.
- Carl I don't have questions, I think it is attractive. I am of the opinion that giving the services that they are providing that the request is very reasonable.
- Morgan I think that if it was a small sign that it would be dangerous because of people seeing it at the last minute. I think that it is important that the sign is bigger. It is isolated. Across the street there is sign similar although the zoning is different. I really think based on the services that they are providing that people might not be familiar with the location and without adequate signage it would be hazardous.
- Wrazen Very insightful comment about speeding by and having to pause if the sign was much smaller. It is appropriate for the sight. You are trying to provide a service there. I don't see any negatives.
- Simeone Is there anyone else that would like to speak on this matter? (No response). The hearing is closed.

MINUTES OF A MEETING AS HELD BY THE
ZONING BOARD OF APPEALS OF THE
TOWN OF AURORA

May 18, 2023

CASE #1436-Christina Searles/Rosewood Signs, Inc.
a/a/f Queensland Holdings LLC
730 Olean Road, East Aurora, NY

Discussion:

Simeone I don't have anything to add.

Morgan I'd like to move forward with a motion.

MINUTES OF A MEETING AS HELD BY THE
ZONING BOARD OF APPEALS OF THE
TOWN OF AURORA

May 18, 2023

CASE #1436-Christina Searles/Rosewood Signs, Inc.
a/a/f Queensland Holdings LLC
730 Olean Road, East Aurora, NY

Decision:

After due deliberation by the members of the Zoning Board of Appeals of the Town of Aurora, County of Erie and State of New York, the following motion was made by Mandy Carl and seconded by Ray Wrazen to grant a 46sf variance to construct a 50sf sign to include the structure as well at 730 Olean Road, East Aurora, NY. This is granted in accordance with the testimony and exhibits presented.

Upon a vote being taken:

Simeone	Aye			
Burkhardt	Aye			
Wrazen	Aye			
Carl	Aye			
Morgan	Aye	Ayes-five	Noes-None	Motion carried.

EXHIBITS

May 18, 2023

CASE #1436-Christina Searles/Rosewood Signs, Inc.
a/a/f Queensland Holdings LLC
730 Olean Road, East Aurora, NY

- Exhibit 1 Affidavit of Publication
- Exhibit 2 Affidavit of Posting
- Exhibit 3 Zoning Board of Appeals Application
- Exhibit 4 Petitioner's Letter of Intent
- Exhibit 5 Letter of Authorization
- Exhibit 6 ECDP Form and Response
- Exhibit 7 Building Departments Letter of Determination
- Exhibit 8 Short Environmental Assessment Form
- Exhibit 9 Site Plan
- Exhibit 10 Photograph of Site
- Exhibit 11 Elevation Renderings
- Exhibit 12 Copy of the Deed
- Exhibit 13 List of Abutting Property Owners